

## Message Text

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ACTION DLOS-09

INFO OCT-01 AF-10 IO-13 ISO-00 ARA-10 EA-10 EUR-12  
NEA-11 ACDA-12 AGRE-00 AID-05 CEA-01 CEQ-01 CG-00  
CIAE-00 COME-00 DODE-00 DOTE-00 EB-08 EPA-01  
SOE-02 DOE-15 FMC-01 TRSE-00 H-01 INR-10 INT-05  
JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OES-07 OMB-01  
PA-01 PM-05 SP-02 SS-15 ICA-11 /189 W  
-----008926 210726Z /11

R 201515Z JUN 78  
FM AMEMBASSY LAGOS  
TO SECSTATE WASHDC 9027  
INFO USMISSION USUN NEW YORK  
USMISSION GENEVA

C O N F I D E N T I A L SECTION 01 OF 02 LAGOS 7602

FOR AMBASSADOR RICHARDSON, IO/UNA

E.O. 11652: GDS  
TAGS: PLOS, NI  
SUBJECT: LOS CONSULTATION WITH NIGERIAN LOS DELEGATE

SUMMARY: DAS DALLEY, HOLLOWAY AND POL/COUN  
CLARK-BOURNE MET MORNING OF JUNE 19 WITH MR. M.O.  
ADIO, SENIOR STATE COUNSEL (MIN. OF JUSTICE) AND  
NIGERIAN REPRESENTATIVE TO LOS. ASPECTS OF 7TH  
SESSION OF THIRD LOS CONFERENCE IN GENEVA WERE  
REVIEWED AND TOPICS FOR UPCOMING RESUMED 7TH  
SESSION IN AUGUST WERE OUTLINED. END SUMMARY.

1. DAS DALLEY OPENED MEETING WITH PRESENTATION  
OF LETTER FROM AMB. RICHARDSON TO DR. AUGUSTINE  
NNAMANI, HEAD OF NIGERIAN LOS DELEGATION.  
SINCE DR. NNAMANI WAS ABSENT FROM LAGOS, TRAVELING  
WITH HEAD OF STATE OBASANJO, DAS DALLEY REVIEWED  
HIGHLIGHTS OF LETTER'S CONTENTS FOR MR. ADIO, WHO  
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EXPRESSED HIS APPRECIATION.

2. MR. ADIO IN RESPONSE TO DALLEY'S QUESTION  
CONCERNING VIEW OF 7TH LOS SESSION, SAID THAT HE  
FELT MUCH PROGRESS HAD BEEN MADE, ESPECIALLY LDC  
POSITIONS REGARDING SUBSTANTIVE MATTERS. ADIO  
CITED LDC CONCESSIONS ON THE QUESTION OF THE

COMPOSITION OF THE COUNCIL - THE EXECUTIVE ARM  
OF THE AUTHORITY - AND WILLINGNESS NOT TO  
ALTER POSITIONS ALREADY TAKEN IN THE  
COUNCIL AS INDICATIVE OF LDC "GOOD FAITH." HE  
LOOKED FORWARD TO THE RESUMED SESSION IN AUGUST  
AS PROVIDING THE OPPORTUNITY TO FURTHER CLOSE  
THE GAP BETWEEN LDC AND WEO POSITIONS.

3. IN ADIO'S VIEW, LDC COMPROMISE ON POINTS  
SUCH AS FRONT-END LOADING FINANCIAL ARRANGEMENTS,  
ALTHOUGH SUCH ARRANGEMENTS ARE SUBJECT TO FUTURE  
REVIEW, DEMONSTRATE THE REASONABLE NEGOTIATING  
PERSPECTIVE TO BE TAKEN IN THE LOS SESSIONS. HE  
REVIEWED THE SEA-BED MINING ISSUE AND PREVIOUS  
LOS PLENARY SESSIONS RELATING TO FINANCING THE  
ENTERPRISE SYSTEM; THE LOS AUTHORITY; AND THOSE  
CONTRACTUAL OBLIGATIONS BETWEEN MNCS AND THE  
AUTHORITY. FINANCING ARRANGEMENTS FOR THE  
ENTERPRISE SYSTEM REMAINS A TROUBLESOME ISSUE,  
ADIO SAID, BECAUSE DEVELOPED COUNTRIES VIEW  
THE ENTERPRISE AS A COMPETITOR AND BELIEVE THAT  
THE AUTHORITY WILL BE BIASED TOWARD ACCEPTING  
BIDS BY MEMBER STATES OF THE SYSTEM OVER THOSE  
SUBMITTED BY MNCS. ADIO EXPRESSED THE OPINION  
THAT BOTH SIDES MAY HAVE LEGITIMATE FEARS IN THIS  
REGARD BUT SHOULD BE WILLING TO DEMONSTRATE  
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"GOOD FAITH." SINCE IT IS DIFFICULT AT THIS STAGE  
TO KNOW HOW THE ACTUAL OPERATION OF THE AUTHORITY  
WILL GO FORWARD. TO PRESS FOR DETAILS ON  
FINANCIAL ADVANTAGES IN THE TREATY IS TO PREJUDGE  
UNKNOWN CIRCUMSTANCES OF IMPLEMENTATION OF THE  
ENTERPRISE SYSTEM. THE SAME HOLDS TRUE FOR  
FINANCIAL POSITIONS ON CONTRACTS WITH THE AUTHORITY  
WHERE TOO MUCH SPECIFICITY IS UNWARRANTED.

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R 201515Z JUN 78  
FM AMEMBASSY LAGOS  
TO SECSTATE WASHDC 9028  
INFO USMISSION USUN NEW YORK  
USMISSION GENEVA

C O N F I D E N T I A L SECTION 02 OF 02 LAGOS 7602

FOR AMBASSADOR RICHARDSON, IO/UNA

4. DALLEY ACKNOWLEDGED A BASIS FOR THIS CONCERN BUT REVIEWED USG'S DESIRE TO RESPOND TO LEGITIMATE NEED OF US ECONOMIC INTERESTS WHO WISHED TO PARTICIPATE TO UNDERSTAND FINANCIAL LIMITS AND ADVANTAGES OF THEIR PARTICIPATION AND TO PROTECT THOSE MNCS BY SOME MEASURE OF COMMON AGREEMENT. ADIO AGREED THAT SOME MUTUAL UNDERSTANDING ON FINANCING SHOULD BE A PRIORITY ISSUE FOR RESOLUTION DURING THE AUGUST SESSION. FOLLOWING A QUESTION POSED BY HOLLOWAY WHETHER SWIFTER PROGRESS MIGHT BE MADE BY SELECTING SPECIFIC ITEMS FOR RESOLUTION RATHER THAN DISCUSSION OF THE ENTIRE PACKAGE IN AUGUST, ADIO CONFIRMED THAT HE PREFERRED SUCH AN APPROACH PARTICULARLY IN RELATION TO THE SEA-BED ISSUES STILL OUTSTANDING.

5. DALLEY ASKED WHAT OTHER PRIORITY AREAS WOULD NIGERIA WISH TO PURSUE IN THE AUGUST SESSION,  
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CITING AMB. RICHARDSON'S QUERY IN THE NNAMANI LETTER. ADIO CLEARLY RESPONDED ON THE TWO FOLLOWING POINTS:

--CONCERNING THE MATTER OF THE 200-MILE ECONOMIC ZAONE AND THE RIGHTS OF LAND-LOCKED VS. COASTAL STATES, THE COASTAL STATES SHOULD HAVE PRIMARY RIGHTS WITH A DESIGNATED SURPLUS RESERVED FOR THE LAND-LOCKED STATES. THE ISSUE IS MORE CORRECTLY A DEVELOPED NATION RATHER THAN AN LDC ISSUE BECAUSE LDCS ARE MORE WILLING TO RESOLVE POINTS OF CONFLICT SUCH AS FISHERIES QUESTIONS BY BILATERAL OR REGIONAL AGREEMENTS. NONETHELESS, THE ISSUE SHOULD BE RESOLVED AT

THE RESUMED SESSION;

--CONCERNING THE MATTER OF CONTINENTAL SHELF  
EXTENSIONS BEYOND THE 200-MILE LIMIT,  
BOTH THE IRISH AND SOVIET FORMULAS REMAIN  
UNACCEPTABLE WITH NIGERIA FIRMLY FOR THE THIRD  
POSITION OF CONTINUED SUPPORT FOR THE CURRENT  
200-MILE CUT-OFF AS APPLIED TO IN THE COUNCIL AND  
FURTHER DELIBERATION ON A REVENUE-SHARING FORMULA  
ACCEPTABLE TO ALL MEMBER STATES. ADIO EMPHASIZED  
THAT LDCS ARE COMMITTED TO EXTENSION OF NATIONAL  
JURISDICTION TO THE 200-MILE LIMIT AND THEREFORE  
THE CONTINENTAL SHELF SHOULD BE COTERMINOUS WITH  
THIS DELIMITATION.

6. ADIO PROMISED TO BRING AMB. RICHARSON'S LETTER  
TO DR. NNAMANI'S IMMEDIATE ATTENTION UPON HIS  
RETURN TO LAGOS AND TO RESPOND TO THE LETTER'S  
CONTENTS ASAP. HE WELCOMED CONTINUED CONSULTATIONS  
LEADING UP TO THE RESUMED SESSION AND LOOKED  
FORWARD TO HIS OWN ATTENDANCE IN NYC. FINALLY,  
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ADIO PERSONALLY COMMENDED AMB. RICHARDSON'S  
SPIRITED AND MEANINGFUL LEADERSHIP OF US PARTICIPATION  
IN LOS SESSION SINCE THE ADVENT OF THE CARTER  
ADMINISTRATION AND GAVE HIS OWN VIEW THAT MUCH OF  
THRE RECENT PROGRESS DATED FROM RICHARDSON'S  
ASSUMPTION OF THE LEADERSHIP OF THE US DELEGATION.  
ADIO PROMISED A THOROUGH REVIEW OF THE LETTER  
AND A COMPLETE RESPONSE WHICH MAY LEAD TO FURTHER  
BILATERAL DISCUSSIONS PRIOR TO THE RESUMPTION  
OF THE 7TH SPECIAL SESSION.  
WYMAN

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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014